



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/604,681

08/10/2003

Lisa Wu

1680

37754

7590

04/29/2009

Gmorpher Incorporated
PO Box 9
Fort Lee, NJ 07024

EXAMINER

NGUYEN, VAN H

ART UNIT

PAPER NUMBER

2194

MAIL DATE

DELIVERY MODE

04/29/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/604,681	Applicant(s) WU, LISA	
	Examiner VAN H. NGUYEN	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed 02/22/2009.

Claims 1-33 are currently pending in this application. Claims 1-33 have been amended. Claims 34-48 have been cancelled.

Specification

2. Examiner requests that Applicant review the application carefully for informalities including typographical errors.

The cross reference related to the application cited in the specification must be updated (i.e., update the relevant status, with PTO serial numbers or patent numbers where appropriate). **Correction is required.**

Descriptive Title Required

The title of the invention is not descriptive. The title should be as "specific as possible" 37 CFR 1.72 while not exceeding "500 characters in length". The title should provide "informative value" and serve to aid in the "indexing, classifying, searching" and other Official identification functions. A new title is required that is clearly indicative of the invention to which the claims are directed.

MPEP606.01

The abstract is objected to because it does not comply with MPEP

§ 608.01(b). Correction is required.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title.
It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

3. Claims 3, 6, 14, 17, 25, and 28 are objected to because of the following informalities:

As to claims 3, 6, 14, 17, 25, and 28, the abbreviations (i.e., WSDL and SOAP) used in these claims should be defined.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-33 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 1, 12, and 33, “the client” lacks antecedent basis.

As to claims 2, “Web-based forms” render the claim indefinite. It is not clear if it is referring to “Web-based forms” of claim 1.

As to claims 3-7 and 10, “the Web Services” lacks antecedent basis.

As to claims 13, “Web-based forms” render the claim indefinite. It is not clear if it is referring to “Web-based forms” of claim 12.

As to claims 25, “Web-based forms” render the claim indefinite. It is not clear if it is referring to “Web-based forms” of claim 23.

Art Unit: 2194

All the dependent claims are rejected for fully incorporating the deficiencies of their base claims.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 12-22 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding independent claim 12, the claim recites a “system”. However, the system appears to be a program per se and does not fall within any of the four enumerated categories of patentable subject matter in section 101.

Dependent claims 13-22 are rejected for fully incorporating the deficiencies of their base claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by

Chalasani et al. (US 20040103195 A1).

As to claim 1:

Chalasani teaches a method of invoking a remote Web service on a server by an application tool residing on the client, comprising steps of: dynamically generating Web-based forms; dynamically generating Web Services client stubs; invoking the Web service with one or more threads; and transforming invocation results into name value pairs (see the Abstract; [0024]- [0030]; [0063]- [0070]; and [0077]- [0070]; see also, Figs. 5-7 and the associated text).

As to claim 2:

Krueger teaches wherein Web-based forms are generated concurrently with the client stubs by the application tool (see [0025]-[0027] and [0065]-[0068]; see also, Figs. 5-7 and the associated text).

As to claim 3:

Chalasani teaches constructing an invocation object from a WSDL file (see [0053] and [0078]-[0084]; see also, Figs. 5-7 and the associated text).

As to claim 4:

Chalasani teaches constructing an invocation object from the client stubs (see [0025]-[0027] and [0065]-[0068]; see also, Figs. 5-7 and the associated text).

As to claim 5:

Chalasani teaches constructing an invocation object from loaded classes (see [0063]-[0073]; see also, Figs. 5-7 and the associated text).

As to claim 6:

Chalasani teaches recursively transforming SOAP schema types to data types of the underlying programming language (see [0053] and [0063]-[0073]; see also, Figs. 5-7 and the associated text).

As to claim 7:

Chalasani teaches simultaneously processing one or more invocation requests (see [0063]-[0073]; see also, Figs. 5-7 and the associated text).

As to claim 8:

Chalasani teaches each invocation request causes one or more invocation threads to be generated by the application tool (see [0063]-[0073]; see also, Figs. 5-7 and the associated text).

As to claim 9:

Chalasani teaches pausing the invocation threads; stopping the invocation threads; and restarting paused invocation threads (see [0063]-[0073]; see also, Figs. 5-7 and the associated text).

As to claim 10:

Chalasani teaches cloning prior Web Services invocations (see [0063]-[0073]; see also, Figs. 5-7 and the associated text).

As to claim 12:

Chalasani teaches visually transforming the name value pairs into one or more Web pages with one or more predefined templates (see [0063]-[0073]; see also, Figs. 5-7 and the associated text).

As to claims 12-22:

Note the rejection of claims 1-11 above. Claims 12-22 are the same as claims 1-11, except claims 12-22 are system claims and claims 1-11 are method claims.

As to claims 23-33:

Note the rejection of claims 1-11 above. Claims 23-33 are the same as claims 1-11, except claims 23-33 are computer program product claims and claims 1-11 are method claims.

Response to Arguments

7. Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. The prior art made of record, listed on PTO 892 provided to Applicant is considered to have relevancy to the claimed invention. Applicant should review each identified reference carefully before responding to this office action to properly advance the case in light of the prior art.

Art Unit: 2194

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

9. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM-6:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MENG-AI AN can be reached at (571) 272-3756.

Art Unit: 2194

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VAN H NGUYEN/
Primary Examiner, Art Unit 2194